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**Montana State Bar I.D. No. 2406**

**ATTORNEYS FOR ERNIE AND LEANNE DUTTON; LIVINGSTON MARBLE AND GRANITE, INC.; WILLIAM AND EVELYN SCALISE; AND GREG AND EMILY STRONG.**

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF MONTANA**

|                                    |   |                             |
|------------------------------------|---|-----------------------------|
| <b>In Re:</b>                      | ) | <b>Case No. 06-60855</b>    |
|                                    | ) |                             |
| <b>INCREDIBLE AUTO SALES, LLC.</b> | ) | <b>OBJECTION TO</b>         |
|                                    | ) | <b>DISCLOSURE STATEMENT</b> |
|                                    | ) |                             |
| <b>Debtor.</b>                     | ) |                             |
|                                    | ) |                             |

Ernie and Leanne Dutton, Livingston Marble and Granite, Inc, William and Evelyn Scalise, and Greg and Emily Strong, (hereinafter "Creditors") hereby object to the adequacy of Debtor's Disclosure Statement dated January 18, 2007 on the following grounds:

1. Incredible Auto Sales, LLC ("Debtor") filed a Petition in this Court under Chapter 11 of the Bankruptcy Code on October 17, 2006. Debtor is presently acting as Debtor-in-Possession.
2. Creditors are the lessors under a commercial lease agreement with Debtor for the premises located at 1832 King Avenue West, Billings, Montana ("Lease"), which is the location of Debtor's Kia dealer franchise and automotive repair facilities.

3. On December 16, 2006, Debtor filed a motion to assume the Lease with Creditors pursuant to 11 U.S.C. §365. On January 4, 2007 the Bankruptcy Court granted Debtor authority to assume the Lease.

4. Pursuant to the Court's Orders of January 24, 2007, based on stipulations of Debtor and Hyundai Motor Finance Company, Creditors are to be paid 3 months of post petition rent from the pending sale of proceeds of Debtor's assets to Rimrock Chrysler, Inc.

5. Debtor's Disclosure Statement and Plan identify Creditors as "King Properties" of Billings, Montana and classify their claims under Class E in the Plan and Disclosure Statement. Debtor's Disclosure Statement states "(T)he allowed prepetition Class E claim of the King Properties, which is totally unsecured by assets of this estate shall be paid its unsecured claim under Class H. The rents due post petition shall be a post petition Administrative Claim."

6. Debtor's Disclosure Statement and Plan inaccurately classify and treat the prepetition portion of Creditors' claim as a general unsecured claim under Class H. Debtor has assumed the Lease which requires that it treat all obligations under the Lease, including payment of prepetition rent, as new administrative obligations in the bankruptcy.

7. Creditors will file an Application for allowance of administrative claim consistent with this Objection.

DATED this 20<sup>th</sup> day of February, 2007.

Guthals, Hunnes, Reuss & Thompson, P.C.  
P. O. Box 1977  
Billings, MT 59103-1977

By: /s/ Jeffery A. Hunnes  
Jeffery A. Hunnes

**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY**, under penalty of perjury, that the foregoing Objection to Disclosure Statement was filed on February 20, 2007, with the Clerk of the Bankruptcy Court using the CM/ECF system, which will electronically notify all persons listed with the Court.

**Guthals, Hunnes, Reuss & Thompson, P.C.**

By: /s/ Jeffery A. Hunnes  
ATTORNEYS FOR CREDITORS ERNIE AND  
LEANNE DUTTON; LIVINGSTON MARBLE  
AND GRANITE, INC.; WILLIAM AND EVELYN  
SCALISE; AND GREG AND EMILY STRONG.